

Forty-ninth Legislature  
First Regular Session

COMMITTEE ON JUDICIARY

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2318

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 6-126, Arizona Revised Statutes, is amended to  
3 read:

4 6-126. Application fees for financial institutions and  
5 enterprises

6 A. The following nonrefundable fees are payable to the department with  
7 the filing of the following applications:

8 1. To apply for a banking permit, ten thousand dollars.

9 2. To apply for an amendment to a banking or savings and loan  
10 association permit, one thousand dollars.

11 3. To establish each banking branch office, one thousand five hundred  
12 dollars.

13 4. To move a banking office to other than an established office of a  
14 bank, one thousand dollars.

15 5. To apply for a savings and loan association permit, ten thousand  
16 dollars.

17 6. To establish each savings and loan association branch office, one  
18 thousand five hundred dollars.

19 7. To move an office of a savings and loan association to other than  
20 an established office, one thousand dollars.

21 8. To organize and establish a credit union, one hundred dollars.

22 9. To establish each credit union branch or credit union freestanding  
23 automated teller machine or to move a credit union office to other than an  
24 established office of a credit union, two hundred fifty dollars.

25 10. To organize and establish any other financial institutions for  
26 which an application or investigation fee is not otherwise provided by law,  
27 two thousand five hundred dollars.

28 11. To acquire control of a financial institution, other than a  
29 consumer lender, five thousand dollars.

1           12. To apply for a trust company license, five thousand dollars.

2           13. To apply for a commercial mortgage banker, mortgage banker, escrow  
3           agent or consumer lender license, one thousand five hundred dollars.

4           14. To apply for a mortgage broker, sales finance company or debt  
5           management company license, eight hundred dollars.

6           15. To apply for a collection agency license, one thousand five hundred  
7           dollars.

8           16. To apply for a deferred presentment company license, one thousand  
9           dollars.

10          17. To apply for a motor vehicle dealer license, three hundred dollars.

11          18. To apply for a branch office of an escrow agent, consumer lender,  
12           commercial mortgage banker, mortgage banker, trust company, money  
13           transmitter, collection agency or deferred presentment company, five hundred  
14           dollars.

15          19. To apply for a branch office of a mortgage broker, debt management  
16           company or sales finance company, two hundred fifty dollars.

17          20. To apply for approval of the articles of incorporation of a  
18           business development corporation, five hundred dollars.

19          21. To establish each freestanding automated teller machine, not  
20           otherwise provided by law, five hundred dollars.

21          22. To apply for approval for the merger or consolidation of two or  
22           more financial institutions, five thousand dollars per institution.

23          23. To apply for approval to convert from a national bank or federal  
24           savings and loan charter to a state chartered institution, five thousand  
25           dollars.

26          24. To apply for approval to convert from a federal credit union to a  
27           state chartered credit union, one thousand dollars.

28          25. To apply for approval to merge or consolidate two or more credit  
29           unions, five hundred dollars per credit union.

30          26. To move an established office of an enterprise to other than an  
31           established office, fifty dollars.

32          27. To issue a duplicate or replace a lost enterprise's license, one  
33           hundred dollars.

34          28. To change a responsible person on a mortgage broker's, commercial  
35           mortgage banker's or a mortgage banker's license, two hundred fifty dollars.

1           29. To change an active manager on a collection agency license or a  
2         manager of a money transmitter branch office license, two hundred fifty  
3         dollars.

4           30. To change the licensee name on a financial institution or  
5         enterprise license, two hundred fifty dollars.

6           31. To apply for a money transmitter license, one thousand five hundred  
7         dollars plus twenty-five dollars for each branch office and authorized  
8         delegate to a maximum of four thousand five hundred dollars.

9           32. To acquire control of any money transmitter or controlling person  
10         pursuant to chapter 12 of this title, two thousand five hundred dollars.

11         33. To receive the following publications:

12           (a) Quarterly bank and savings and loan statement of condition, not  
13         more than ten dollars per copy.

14           (b) Monthly summary of actions report, not more than five dollars per  
15         copy.

16           (c) A list of licensees, a monthly pending actions report and all  
17         other in-house prepared reports or listings made available to the public, not  
18         more than one dollar per page.

19           34. To apply for a loan originator license, an amount to be determined  
20         by the superintendent.

21           35. TO APPLY FOR A LOAN ORIGINATOR LICENSE TRANSFER, AN AMOUNT TO BE  
22         DETERMINED BY THE SUPERINTENDENT.

23           36. TO APPLY FOR A CONVERSION FROM A MORTGAGE BANKER LICENSE TO A  
24         MORTGAGE BROKER LICENSE, AN AMOUNT TO BE DETERMINED BY THE SUPERINTENDENT.

25           B. On issuance of a license or permit for a financial institution or  
26         enterprise, the superintendent shall collect the first year's annual  
27         assessment or renewal fee for the financial institution or enterprise  
28         prorated according to the number of quarters remaining until the date of the  
29         next annual assessment or renewal.

30           C. The following annual renewal fees shall be paid each year:

31           1. For an escrow agent, or trust company, one thousand dollars plus  
32         two hundred fifty dollars for each branch office.

33           2. For a debt management company or sales finance company, five  
34         hundred dollars plus two hundred dollars for each branch office.

1           3. For a collection agency, six hundred dollars plus two hundred  
2           dollars for each branch office.

3           4. For a motor vehicle dealer, one hundred fifty dollars.

4           5. For an inactive mortgage broker, two hundred fifty dollars.

5           6. For a mortgage banker that negotiates or closes in the aggregate  
6           one hundred loans or less in the immediately preceding calendar year, seven  
7           hundred fifty dollars, and for a mortgage banker that negotiates or closes in  
8           the aggregate over one hundred loans in the immediately preceding calendar  
9           year, one thousand two hundred fifty dollars. In addition, a mortgage banker  
10          shall pay two hundred fifty dollars for each branch office.

11          7. For a commercial mortgage banker, one thousand two hundred fifty  
12          dollars. In addition, a commercial mortgage banker shall pay two hundred  
13          fifty dollars for each branch office.

14          8. For a mortgage broker that negotiates or closes in the aggregate  
15          fifty loans or less in the immediately preceding calendar year, two hundred  
16          fifty dollars and for a mortgage broker that negotiates or closes in the  
17          aggregate more than fifty loans in the immediately preceding calendar year,  
18          five hundred dollars. In addition, a mortgage broker shall pay two hundred  
19          dollars for each branch office.

20          9. For a consumer lender, one thousand dollars plus two hundred  
21          dollars for each branch office.

22          10. For a money transmitter, five hundred dollars plus twenty-five  
23          dollars for each branch office and each authorized delegate to a maximum of  
24          two thousand five hundred dollars.

25          11. For a deferred presentment company, four hundred dollars. In  
26          addition, a deferred presentment company shall pay two hundred dollars for  
27          each branch office.

28          12. For a loan originator, an amount to be determined by the  
29          superintendent.

30          13. For an inactive status loan originator, an amount to be determined  
31          by the superintendent.

32          14. ~~For a loan originator license transfer, an amount to be determined  
33          by the superintendent.~~

34          D. The license, renewal or branch office permit fee for a premium  
35          finance company for each calendar year or part thereof shall not be less than

1       one hundred dollars or more than three hundred dollars as set by the  
2       superintendent. If the license is issued or the branch office is opened  
3       after June 30 in any year, the fees shall not be less than fifty dollars or  
4       more than one hundred fifty dollars for that year.

5           Sec. 2. Title 6, chapter 9, article 2, Arizona Revised Statutes, is  
6       amended by adding section 6-949, to read:

7           6-949. Conversion to mortgage broker license

8           NOTWITHSTANDING ANY OTHER LAW, A LICENSEE WHO CLOSES IN THE AGGREGATE  
9       ONE HUNDRED FIFTY OR FEWER LOANS IN THE IMMEDIATELY PRECEDING CALENDAR YEAR  
10      MAY APPLY AT THE TIME OF LICENSE RENEWAL TO THE DEPARTMENT FOR A CONVERSION  
11      TO A MORTGAGE BROKER LICENSE ISSUED PURSUANT TO ARTICLE 1 OF THIS CHAPTER.  
12      THE CONVERSION APPLICATION SHALL BE IN A MANNER PRESCRIBED BY THE  
13      SUPERINTENDENT BY RULE. THE APPROVAL OF THE CONVERSION IS AT THE DISCRETION  
14      OF THE SUPERINTENDENT."

15     Amend title to conform

and, as so amended, it do pass

ADAM DRIGGS  
Chairman

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